

## § 234.9

that is not a new flight shall be assigned the performance code calculated for the flight that it replaces, even if the two flights do not have the same flight number. In the case of a flight scheduled to operate three times or less during a month, carriers shall assign a performance code consisting of the letter "U."

(c) Carriers shall calculate on-time performance percentages and assign on-time performance codes on a monthly basis. This process shall be completed no later than the 15th day of each month, when the reports required by this part are due to the Department, and the codes shall reflect the previous month's operations.

[Amdt. No. 234-1, 52 FR 34071, Sept. 9, 1987, as amended by Amdt. No. 234-3, 52 FR 48397, Dec. 22, 1987; 53 FR 27677, July 22, 1988; Docket No. 48524, 59 FR 49798, Sept. 30, 1994; 60 FR 66722, Dec. 26, 1995]

## § 234.9 Reporting of on-time performance codes.

No later than the 15th day of each month, each reporting carrier shall deliver, or arrange to have delivered, to each system vendor, as defined in 14 CFR part 255, the on-time performance codes required to be determined above. Carriers may report the codes by insuring that they are included in basic schedule tapes provided to CRS vendors or by providing a separate tape that will permit the CRS vendors to match the performance codes with basic schedule tapes.

## § 234.10 Voluntary disclosure of on-time performance codes.

(a) Any air carrier may determine, in accordance with the provisions of § 234.8 of this part, the on-time performance codes for the flights for which it voluntarily provides flight information to the Department pursuant to § 234.7 of this part.

(b) A carrier may supply these additional on-time performance codes to system vendors at the same time and in the same manner as the required disclosures are made to system vendors, provided that voluntary disclosures must continue for a period of not less than 12 consecutive months, and must be supplied either

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(1) For each of the carrier's reportable flights and each of its single plane one-stop or multi-stop flights, or portions thereof, that it holds out to the public through a CRS, the last segment of which is a reportable flight or

(2) For each of the carrier's domestic flights.

## § 234.11 Disclosure to consumers.

During the course of reservations or ticketing discussions or transactions, or inquiries about flights, between a carrier's employees and the public, the carrier shall disclose upon reasonable request the on-time performance code for any flight that has been assigned a code pursuant to this part.

## § 234.12 Waivers.

Any carrier may request a waiver from the reporting requirements of this part. Such a request, at the discretion of the Director, Bureau of Transportation Statistics may be granted for good cause shown. The requesting party shall state the basis for such a waiver.

[Docket No. 48524, 59 FR 49798, Sept. 30, 1994, as amended at 60 FR 66722, Dec. 26, 1995]

## PART 240—INSPECTION OF ACCOUNTS AND PROPERTY

Sec.

240.1 Interpretation.

240.2 Obligation of air carriers, foreign air carriers, and ticket agents.

## § 240.1 Interpretation.

(a) In the exercise of the authority granted by section 407(e) of the Act, the authority of any special agent or auditor to inspect and examine lands, buildings, equipment, accounts, records, memorandums, papers or correspondence shall include the authority to make such notes and copies thereof as he deems appropriate.

(b) The term "special agent" and "auditor" are construed to mean any employee of the Bureau of Enforcement and any other employee of the Board specifically designated by it or by the Director, Office of Facilities and Operations.

(c) The issuance in the form set forth below of an identification card and credentials to any such employee shall be

## Office of the Secretary, DOT

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construed to be an order and direction of the Board to such individual to inspect and examine lands, buildings, equipment, accounts, records, and memorandums in accordance with the authority conferred on the Board by the Act.

UNITED STATES OF AMERICA, CIVIL  
AERONAUTICS BOARD, WASHINGTON, D.C.

Number \_\_\_\_\_  
Expires \_\_\_\_\_

[photo]

Signature

This is to certify that \_\_\_\_\_, whose  
signature and photograph appear hereon is a  
duly designated \_\_\_\_\_

of the Civil Aeronautics Board and is author-  
ized and directed to perform the duties of  
said office in accordance with the laws of the  
United States and regulations thereunder,  
and his authority will be respected accord-  
ingly.

By authority of the Civil Aeronautics Board.

Secretary

CIVIL AERONAUTICS BOARD

Name \_\_\_\_\_  
Date Issued \_\_\_\_\_  
Number \_\_\_\_\_  
Height \_\_\_\_\_  
Weight \_\_\_\_\_  
Hair \_\_\_\_\_  
Eyes \_\_\_\_\_  
Date of Birth \_\_\_\_\_

The holder hereof is authorized to inves-  
tigate violations of the Federal Aviation  
Act, as amended, collect evidence in cases in  
which the regulatory authority of the Civil  
Aeronautics Board is or may be involved and  
perform other duties imposed upon him by  
law.

Under the Federal Aviation Act and part  
240 of the Economic Regulations of the Civil  
Aeronautics Board (14 CFR part 240), the  
duly accredited special agents and auditors  
of the Board are empowered at all times to  
obtain access to all lands, buildings and  
equipment of any air carrier or foreign air  
carrier and to inspect, examine, and make  
notes and copies of all accounts, records,  
memorandums, documents, papers and cor-  
respondence kept or required to be kept by

any air carrier, foreign air carrier or ticket  
agent.

The issuance of these credentials to the  
holder hereof constitutes an order and direc-  
tion on the part of the Civil Aeronautics  
Board to such individual to carry out these  
duties as aforesaid and as more fully de-  
scribed in part 240 of the Board's Economic  
Regulations.

Failure to honor these credentials will re-  
sult in penalties as provided by law.

UNITED STATES OF AMERICA,  
CIVIL AERONAUTICS BOARD,  
WASHINGTON, D.C.  
(Secs. 204, 407, 701, 72 Stat. 743; 49 U.S.C. 1324,  
1377, 1441)

[ER-822, 38 FR 26601, Sept. 24, 1973, as amend-  
ed by ER-914, 40 FR 27017, June 26, 1975; ER-  
941, 40 FR 58850, Dec. 19, 1975]

### § 240.2 Obligation of air carriers, for- eign air carriers, and ticket agents.

Upon the demand of a special agent  
or auditor of the Board, and upon the  
presentation of the identification card  
and credentials issued to him in ac-  
cordance with this part: (a) Any air  
carrier or foreign air carrier shall  
forthwith permit such special agent or  
auditor to inspect and examine all  
lands, buildings and equipment; (b) any  
air carrier, foreign air carrier or ticket  
agent shall forthwith permit such spe-  
cial agent or auditor to inspect and ex-  
amine all accounts, records, memoran-  
dums, documents, papers and cor-  
respondence now or hereafter existing,  
and kept or required to be kept by the  
air carrier, foreign air carrier, or tick-  
et agent, and shall permit such special  
agent or auditor to make such notes  
and copies thereof as he deems appro-  
priate.

(Sec. 204(a), Federal Aviation Act of 1958, as  
amended, 72 Stat. 743; (49 U.S.C. 1324))

[ER-914, 40 FR 27017, June 26, 1975]

## PART 241—UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR LARGE CERTIFICATED AIR CAR- RIERS

Sec.

- 01 Authority Under Which Accounting and  
Reporting Rules and Regulations are  
Prescribed and Administered.
- 02 [Reserved]
- 03 Definitions for Purposes of This System  
of Accounts and Reports.
- 04 Air Carrier Groupings.